

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

SENATE BILL 309

By: Easley

AS INTRODUCED

An Act relating to poultry feeding operations; amending Section 1, Chapter 65, O.S.L. 2002 (2 O.S. Supp. 2002, Section 10-9.8a), which relates restrictions on construction or expansion of poultry feeding operations in certain areas; prohibiting new or expanding poultry feeding operations within one-hundred-year floodplain and certain distance of waters of the state; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 65, O.S.L. 2002 (2 O.S. Supp. 2002, Section 10-9.8a), is amended to read as follows:

Section 10-9.8a On and after the effective date of this act:

1. No new or expanding poultry feeding operations, ~~operated by entities prohibited in Section 951 of Title 18 of the Oklahoma Statutes including but not limited to entities operating as prescribed by Section 954 of Title 18 of the Oklahoma Statutes,~~ shall be constructed within a one-hundred-year flood plain; and

2. No new or expanding poultry feeding operations, ~~operated by entities prohibited in Section 951 of Title 18 of the Oklahoma Statutes including but not limited to entities operating as prescribed by Section 954 of Title 18 of the Oklahoma Statutes,~~ shall be constructed within the following minimum buffer areas:

a. ~~one and one-half (1 1/2) miles of the high water mark of a surface public water supply if the poultry feeding operation is located within the watershed for the public water supply,~~

- ~~b. one (1) mile of any designated scenic river area as specified by the Scenic Rivers Act,~~
- ~~e. one (1) mile of a public drinking water well, and~~
- ~~d. one (1) mile of a water body specified as Outstanding Resource Waters that has recreational or ecological significance as outlined by the most current Water Quality Standards promulgated by the Oklahoma Water Resources Board one mile of any waters of the state, as defined in Section 1084.2 of Title 82 of the Oklahoma Statutes.~~

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

49-1-520

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